

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:	)	Group Art Unit: 2643
	)	
NELSON, Michael, <i>et al.</i>	)	Examiner: WOO, Stella
	)	
Serial No.: 10/816,735	)	RESPONSE TO THE NON-
	)	FINAL OFFICE ACTION
	)	DATED JUNE 14, 2006
Confirmation No.: 1390	)	
	)	
Filed: 04/02/2004	)	
	)	
Atty. File No.: 34000/008	)	
	)	
Title: "Method and Apparatus for	)	
Increasing the Reliability of an	)	
Emergency Call Communication	)	
Network"	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit a Terminal Disclaimer to Obviate a Provisional Double  
Patenting Rejection to address the Office Action having a mailing date of June 14, 2006.

REMARKS begin on page 2.

TERMINAL DISCLAIMER is transmitted herewith after the REMARKS section.

REMARKS

This paper is in response to the office action dated June 14, 2006 (herein the "Office Action"). In the Office Action, claims 1 – 30, 32 – 40, 42, 45 – 47 and 54 – 78 were provisionally rejected under the judicially-created doctrine of double patenting in view of claims 1 – 26, 33 – 46, 48 – 54, 56 – 57 and 60 – 69 of co-pending Application No. 10/816,633. In response, Applicants have not amended, canceled or added any claims. Thus, claims 1 – 30, 32 – 40, 42, 45 – 47 and 54 – 78 are currently pending.

Responsive to the double patenting rejection, Applicants, through their attorney, submit a Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending "Reference" Application, which is transmitted herewith.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

/Michael B. Johannesen/

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Date: June 20, 2006

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)

34000/008

In re Application of: Michael Jay Nelson

Application No.: 10/816,735

Filed: April 2, 2004

For: METHOD AND APPARATUS FOR INCREASING THE RELIABILITY OF AN EMERGENCY CALL COMMUNICATION NETWORK

The owner\*, Intrado, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/816,633, filed on April 2, 2004, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 35,557

/Michael B. Johannesen/

Signature

June 20, 2006

Date

Michael B. Johannesen

Typed or printed name

(630) 300-2727

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

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